

Remarks:

In the Office Action dated October 7, 2010, currently pending claims 1, 7, 12-13 and 41 were rejected, while claims 20-22, 26, 29-32, 35-38 and 43-51 were merely objected to. The rejection of claims 1, 7, 12-13 and 41 was made final by the Examiner.

In response, Applicant has cancelled claims 1, 7, 12-13 and 41. Applicant believes the cancellation of those claims overcomes the final rejection. Accordingly, in view of the claim amendments, Applicant respectfully requests reconsideration of this application.

In paragraph 4 on page 4 of the Office Action of October 7, 2010, the Examiner indicated that "claims 1, 7, 9, 12-15 and 41" were rejected under 35 U.S.C. §103(a) as being unpatentable over the Tsutsumi Japanese abstract reference. In response, Applicant would like to first point out that claim 9 had previously been cancelled in the Amendment dated August 2, 2010. In addition, claims 14 and 15 had previously been cancelled in the Amendment dated August 2, 2010. Thus, Applicant believes the Examiner meant to reject only claims 1, 7, 12-13 and 41. As noted above, Applicant has cancelled all of claims 1, 7, 12-13 and 41 via the present response. As such, the final rejection has been overcome and rendered moot.

At the end of paragraph 5 and at the bottom of page 5 of the Office Action of October 7, 2010, the Examiner stated:

"Claims 20-22, 26, 29-32, 35-35, 43-51 are objected to for
depending on rejected claims. If rewritten independently they will
be allowed"

The Examiner should note, however, that all of these claims were previously rewritten in independent form in the previous Amendment dated August 2, 2010. Thus, none of these claims depend from rejected claims, and thus all should be allowable by the Examiner, and in fact, should have been allowed in the present Office Action.

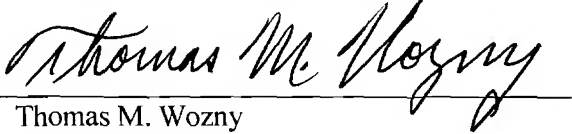
Accordingly, since the present response cancelled all of the rejected claims, and the only remaining claims are allowable, Applicant believes the present response overcomes the final rejection and the Examiner should now issue a Notice of Allowance. Since no substantive amendments have been made to the claims, there is no requirement for further consideration by the Examiner and no need for any further searching. As a result, Applicant believes the present application is in condition for allowance. If the Examiner has any questions, or if there are any minor issues remaining, the Examiner is requested to telephone Applicant's representative so that this case may proceed to issuance.

Application No. 10/758,767
Amendment dated January 7, 2011
Response to Office Action dated October 7, 2010

An effort has been made to place this application in condition for allowance and such action is earnestly requested.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By 
Thomas M. Wozny
Reg. No. 28,922

100 East Wisconsin Avenue, Suite 1100
Milwaukee, Wisconsin 53202
Telephone: (414) 271-7590
Facsimile: (414) 271-5770